

OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

Peter T. Dalleo
CLERK OF COURT

LOCKBOX 18
844 KING STREET
U.S. COURTHOUSE
WILMINGTON, DELAWARE 19801
(302) 573-6170

August 11, 2005

TO: James A. Wilson
#163663
SCI
P.O. Box 500
Georgetown, DE 19947

**RE: Payment of Filing Fees in CA 05-399 JJF, Wilson et.al.
v. Taylor et.al.**

Dear Mr. Wilson:

This office received your letter dated 7/1/05 regarding payment of the \$250.00 filing fees in subject case. Your letter appears to have been mailed from SCI on 8/2/05, and was docketed by the Clerk's Office on 8/4/05.

After further research, we have concluded that your payment was in fact received on 6/20/05, and receipt number 139687 was issued on that date. This information has now been added to the docket; a copy of the receipt and docket are provided herewith.

Thank you for your assistance in clearing up this matter.

Nothing contained in this letter is intended to express an opinion as to the merits of any claims which you may be alleging.

Sincerely,

/rbe

PETER T. DALLEO
CLERK

cc: The Honorable Joseph J. Farnan, Jr, CA 05-399 JJF
CAF
Financial Admin.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

James A. Wilson, et, al
Plaintiffs,

v.

Comm. Stanley Taylor, and
Warden Rick Kearney,
Defendants.

Civ. No. 05-399-JJF



1. Plaintiffs filed Pro Se litigation on or about 6-10-05 sending a check from the institution dated 6-16-05.
2. Plaintiffs received Order from court saying that Plaintiffs have filed this action on June, 16 2005, Pursuant to 42 U.S.C. § 1983 without prepayment of the filing fee or request to proceed In Forma Pauperis.
3. Plaintiffs wrote The District Court Clerk explaining to them that the check that came from the Institution was for the Complaint that was being filed.
4. However, plaintiffs still received Order requesting In Forma Pauperis
5. Plaintiffs do not understand why such Order if Complaint has been paid for.
6. However, James Wilson is sending six month statement
7. Plaintiffs believe that that 28 U.S.C. §1915 (a) (1) and (2) do not apply to them since payment was prepaid.
8. In Forma Pauperis or for scheduling payment of filing fee.
9. Plaintiffs did not file In Forma Pauperis because Plaintiffs sent payment out on June 16, 05

WHEREFORE, PLAINTIFFS ask that the Order be dismissed and that the payment sent be accepted

James A. Wilson, Et, al
S.C.I. P.O.Box 500
Georgetown, DE. 19947

Dated. 7/1/05

I/M: James Wilson BLDG: Merit/East
SUSSEX CORRECTIONAL INSTITUTION
P.O. BOX 500
GEORGETOWN, DELAWARE 19947

District Court

844 N. King St, Lockbox 18

Wilm., DE.19801-3570

1675 U.S. POSTAGE PB2230370 *
7955 \$08.830 AUG 02 05 *
6480 19947

7-11 CODE
M.S.
TRAY

UNITED STATES
DISTRICT COURT
District of Delaware
Wilm. Division

139687 - EW
June 20, 2005

Code	Case #	Qty	Amount
510000			
FL5140	1-05-CV-399		190.00 CM
FL0857	1-05-CV-399		60.00 CM
086900			
NOT PLRA			
Total ->			250.00

FROM: SUSSEX CORRECTIONAL

ENR 42653

WILM TRUST

FOR: JAMES A. WILSON, et al

**U.S. District Court
District of Delaware (Wilmington)
CIVIL DOCKET FOR CASE #: 1:05-cv-00399-JJF
Internal Use Only**

Wilson et al v. Taylor et al
Assigned to: Honorable Joseph J. Farnan, Jr.
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 06/15/2005
Jury Demand: Plaintiff
Nature of Suit: 555 Prisoner:
Prison Conditions
Jurisdiction: Federal Question

Plaintiff

James A. Wilson

represented by **James A. Wilson**
#163663
SCI
P.O. Box 500
Georgetown, DE 19947
PRO SE

Plaintiff

Anthony Morris

represented by **Anthony Morris**
SBI# 300363
PRO SE

Plaintiff

Darus Young

represented by **Darus Young**
SBI# 00282852
PRO SE

Plaintiff

Eldon Potts

represented by **Eldon Potts**
SBI# 211193
PRO SE

Plaintiff

Jerry Weston

represented by **Jerry Weston**
SBI# 329478
PRO SE

Plaintiff

Dereck Stones

represented by **Dereck Stones**
SBI# 303183

SCI
P.O. Box 500
Georgetown, DE 19947
PRO SE

Plaintiff

Robert Oxford

represented by **Robert Oxford**
SBI# 226731
PRO SE

Plaintiff

Roderick Brown

represented by **Roderick Brown**
SBI# 315954
PRO SE

Plaintiff

Samuel Jones

represented by **Samuel Jones**
SBI# 465297
PRO SE

Plaintiff

Frank Williams

represented by **Frank Williams**
SBI# 261867
PRO SE

Plaintiff

Dedrick Chase

represented by **Dedrick Chase**
SBI# 168185
SCI
P.O. Box 500
Georgetown, DE 19947
PRO SE

Plaintiff

Jerome Green

represented by **Jerome Green**
SBI# 147772
PRO SE

Plaintiff

Antonio Frisby

represented by **Antonio Frisby**
SBI# 215613
PRO SE

Plaintiff

Jose Serpa

represented by **Jose Serpa**
SBI# 350322
PRO SE

Plaintiff

Brian Briscoe

represented by **Brian Briscoe**
SBI# 342223
PRO SE

Plaintiff

George A. Jackson

represented by **George A. Jackson**
SBI #171250
SCI
P.O. Box 500
Georgetown, DE 19947
PRO SE

Plaintiff

H. Richards

represented by **H. Richards**
SBI# 316998
PRO SE

Plaintiff

Gilbert Williams

represented by **Gilbert Williams**
SBI# 137575
PRO SE

Plaintiff

Norman Deshields

represented by **Norman Deshields**
SBI# 171016
PRO SE

Plaintiff

Charles Quillen

represented by **Charles Quillen**
SBI# 211182
PRO SE

Plaintiff

Tim Soodain

represented by **Tim Soodain**
SBI# 178038
PRO SE

Plaintiff

Kevin Spivey

represented by **Kevin Spivey**
SBI# 258693
PRO SE

Plaintiff

De'Shawn Smith

represented by **De'Shawn Smith**
SBI# 281928
PRO SE

Plaintiff

Howard Parker

represented by **Howard Parker**
PRO SE

Plaintiff

Kendall Reed

represented by **Kendall Reed**
SBI# 276408
FCI Allenwood
P.O. Box 2000
White Deer, PA 17887
PRO SE

Plaintiff

James Johnson

represented by **James Johnson**
SBI# 155123
PRO SE

Plaintiff

Shaun Lee

represented by **Shaun Lee**
PRO SE

Plaintiff

Charles B. Sanders

represented by **Charles B. Sanders**
SBI# 160428
Delaware Correctional Center
1181 Paddock Road
Smyrna, DE 19977
PRO SE

Plaintiff

Nathan Henry

represented by **Nathan Henry**
PRO SE

Plaintiff

Pedro Cintrarepresented by **Pedro Cintra**
PRO SE

V.

Defendant**Comm. Stanley Taylor***Individually and Official Capacity
as Commissioner D.O.C.***Defendant****Warden Rick Kearney***Individually and Official Capacity
as Warden, S.C.I.*

Date Filed	#	Docket Text
06/15/2005	1	COMPLAINT filed pursuant to 42:1983 with Jury Demand against Stanley Taylor, Rick Kearney - filed by James A. Wilson, Anthony Morris, Davis Young, Eldon Potts, Jerry Weston, Dereck Stones, Robert Oxford, Roderick Brown, Samuel Jones, Frank Williams, Dedrick Chase, Jerome Green, Antonio Frisby, Jose Serpa, Brian Briscoe, George A. Jackson, H. Richards, Gilbert Williams, Norman Deshields, Charles Quillen, Tim Soodain, Kevin Spivey, Shawn Smith, Howard Parker, Kendall Reed, James Johnson, Shaun Lee, Charles B. Sanders, Nathon Henry.(els,) (Entered: 06/16/2005)
06/15/2005	2	MOTION to Appoint Counsel - filed by James A. Wilson. (els,) (Entered: 06/16/2005)
06/20/2005		Filing fee received, receipt number 139687 (rbe,) (Entered: 08/11/2005)
06/22/2005		Case assigned to Judge Joseph J. Farnan, Jr. Please include the initials of the Judge (JJF) after the case number on all documents filed. (rjb,) (Entered: 06/22/2005)
06/22/2005	3	Letter Amending Complaint to The Clerk of the Court from James A. Wilson, dtd. 06/22/05 requesting the Clerk to add the signature name of Pedro Cintra to the Civil Complaint. (afb,) Modified on 6/30/2005 (afb,). (Entered: 06/27/2005)
06/22/2005		***Plaintiff Pedro Cintra added per D.I. 3. (afb,) (Entered: 06/27/2005)

		06/30/2005)
06/27/2005	4	LETTER MOTION to the Clerk of the Court from James A. Wilson, dtd. 06/23/05 to correct the spelling of the following Pltfs.' names: 1. De'Shawn Smith, Darus Young, Nathan Henry.(afb,) (Entered: 06/30/2005)
06/30/2005	5	CORRECTING ENTRY: Pedro Cintra added as pltf. per D.I. 3 and the spelling of pltfs.' names: De'Shawn Smith, Darus Young and Nathan Henry corrected per D.I. 4. (afb,) (Entered: 06/30/2005)
07/07/2005	5	ORDER that Filing Fee of \$250.00 Assessed. Each Plaintiff requested to submit IFP application and certified copy of Prison Trust Fund Account Statement. Failure to submit items within 30 days will result in dismissal of action without prejudice. Pltfs.' Motion to Amend the Complaint (D.I. 4) is GRANTED. The Clerk of the Court shall correct the docket to reflect the correct spelling of the pltfs.' names. (Copy to pltf. with Mag. Consent Form) Notice of Compliance deadline set for 8/8/2005. (SEE ORDER FOR DETAILS). Signed by Judge Joseph J. Farnan, Jr. on 07/07/05. (afb,) (Entered: 07/07/2005)
07/14/2005	6	Letter to The Court from James A. Wilson, dated 07/12/05 responding to Order (D.I. 5) regarding IFP. (Attachments: # 1 attachment)(afb,) (Entered: 07/21/2005)
07/18/2005	7	MOTION for Leave to File an Amended Complaint - filed by James A. Wilson, et al. (Attachments: # 1 proposed amended complaint)(afb,) Modified on 7/27/2005 (afb,). (Entered: 07/27/2005)
07/18/2005	8	MOTION for Class Certification - filed by James A. Wilson, et al. (afb,) Modified on 7/27/2005 (afb,). (Entered: 07/27/2005)
08/03/2005	10	Application To Proceed Without Prepayment Of Fees and Affidavit - filed by James A. Wilson. (afb,) (Entered: 08/09/2005)
08/03/2005	11	Trust Fund Account Statement by James A. Wilson (Attachments: # 1 Financial Stmt. June 2005# 2 Average Daily Balance Stmt.) (afb,) (Entered: 08/09/2005)
08/04/2005	9	Letter to The Clerk of the Court from James Wilson, pro se, dtd. 07/01/05 stating case filed on or about 06/10/05 and check was sent from the institution dtd. 06/16/05 and Order received by pltfs. requesting prepayment of filing fee or request to

		proceed ifp. (afb,) (Entered: 08/09/2005)
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